

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Tomoyuki Tokunaga, Tadashi Furusawa, Chris Honda and Katsuhiro Ohkoshi

Application No.: 10/719,702

Group Art Unit: 1632

Filed: November 21, 2003

Examiner: Peter Paras, Jr.

Confirmation No.: 1351



METHODS FOR SORTING UNDIFFERENTIATED CELLS AND USES THEREOF

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>8-28-06</u>	<u>Jane Morgan</u>
Date	Signature
<u>JANE MORGAN</u>	
Typed or printed name of person signing certificate	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☐ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☒ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☒ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application file.

(Filed after payment of issue fee)

09/01/2006 HHGUYEN1 00000075 10719702

FE PC:1806

180.00 0P

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references AS- AX are enclosed.
 - ☐ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
 - ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☒ The "concise explanation" requirement (non-English references) for reference(s) AS, AU, AV, AW under 37 CFR 1.98(a)(3) is satisfied by:
 - ☒ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☐ the enclosed English language abstract.

- ☐ Applicant requests that the following non-published pending applications be considered:
(Affix a label or apply the stamp "Non-Published IDS Reference - Do Not Scan" to the front of each unpublished pending appl'n.)

Examiner's
Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☒ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

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Dated: Aug. 28, 2006

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.
3462.1007-000APPLICATION NO.
10/719,702INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

April 22, 2004

(Use several sheets if necessary)

FIRST NAMED INVENTOR
Tomoyuki TokunagaFILING DATE
November 21, 2003EXAMINER
N/ACONFIRMATION NO.
1351GROUP
1645

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	Furusawa, T., <i>et al.</i> , "Estimation of Pluripotency of Mouse Embryonic Stem Cells by Flowcytometry," <i>The 25th Annual Meeting of the Molecular Biology Society of Japan</i> , p. 626, Abstract 1P-1223 (2002).
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EXAMINER

DATE CONSIDERED

PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 3462.1007-000		APPLICATION NO. 10/719,702	
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION August 17, 2006 (Use several sheets if necessary)		FIRST NAMED INVENTOR Tomoyuki Tokunaga		FILING DATE November 21, 2003	
		EXAMINER Peter Paras, Jr.		CONFIRMATION NO. 1351	GROUP 1632

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AA			
	AB			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO	
	AL					
	AM					

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AS	Aizawa, S., <i>et al.</i> , "Gene Targeting." (Tokyo: Yodosha), Chapter 2: 23-42 (1995).
AT	Nagy, A., <i>et al.</i> , <i>Manipulating the Mouse Embryo, A Laboratory Manual</i> , Third Ed., (NY: Cold Spring Harbor Laboratory Press), Chapters 8-11, pp. 359-506 (2003).
AU	Tokunaga, T., "Production of the Chimeric Mouse from ES cells." In <i>Hai to Kotai no Idenshisousahou (Genetic Engineering of Embryos and Animals for Neuroscience)</i> , Kondo, H., ed. (Tokyo: Springer-Verlag Tokyo), Chapter 2, pp. 77-90 (1997).
AV	Tokunaga, T., "Effective Method for Establishing an ES cell line." In <i>Gene Tagettingu no Saishingijutsu (New Technology for Gene Targeting)</i> , Yagi, T., ed., (Tokyo: Yodosha), Chapter 4(3), pp. 208-214 (2000).
AW	Wakayama, T., "Production of Cloned Mice." In <i>Kansaibou-kuron Kenkyu puotokouru (Research Protocols for Stem Cell and Clones)</i> , Nakatsuji, N., ed., (Tokyo: Yodosha), Chapter 6(2), pp. 199-216 (2001).
AX	Levenberg, S., <i>et al.</i> , "Endothelial Cells Derived From Human Embryonic Stem Cells," <i>PNAS</i> 99(7):4391-4396 (2002).

EXAMINER	DATE CONSIDERED
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